

MINUTES OF REGULAR MEETING HELD JUNE 4, 2013

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday evening, June 4, 2013 at 8:00 p.m.

Mayor Skibitsky made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 20, 2012. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, AND THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Skibitsky, Council Members Arena, Haas, Foerst, Della Fera, Kimmins, LoGrippe, Loughlin

ABSENT: Councilwoman Neylan

Invocation was given by Councilman Haas

PRESENTATIONS

APPOINTMENT

ADVERTISED HEARINGS

The Council proceeded to the hearing entitled, “GENERAL ORDINANCE NO. 2008 – AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF SECTION 11.11 THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD.”

Advertised returnable this evening.

David Berkley of 257 Orchard Street asked about the impact of this ordinance on existing structures. The Town Attorney stated that existing structures would be grandfathered.

Mayor Skibitsky declared the hearing closed.

The Council then proceeded to the hearing entitled, "GENERAL ORDINANCE NO. 2009 – AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 1988 ENTITLED "AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD CHAPTER 2, "ADMINISTRATION," ARTICLE II, TOWN OFFICERS AND EMPLOYEES, DIVISION 3, PERSONNEL POSITIONS AND SALARY SCHEDULE," SEC. 2-12.28, "SCHEDULE."

Advertised returnable this evening.

Mayor Skibitsky declared the hearing closed.

The Council then proceeded to the hearing entitled, "GENERAL ORDINANCE NO. 2010 – AN ORDINANCE TO AMEND GENERAL ORDINANCE 1981 FIXING THE ANNUAL SALARIES FOR THE MAYOR AND COUNCIL MEMBERS AND CERTAIN OFFICERS AND EMPLOYEES OF THE TOWN OF WESTFIELD."

Advertised returnable this evening.

Mayor Skibitsky declared the hearing closed.

The Council then proceeded to the hearing entitled, "GENERAL ORDINANCE NO. 2011 – AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 1961 ENTITLED "AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE POLICE AND FIRE DEPARTMENTS IN THE TOWN OF WESTFIELD AND VARIOUS AMENDMENTS THERETO."

Advertised returnable this evening.

Mayor Skibitsky declared the hearing closed.

PENDING BUSINESS

An ordinance entitled, "GENERAL ORDINANCE NO. 2008 – AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF SECTION 11.11 THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD." introduced by Councilman Foerst, seconded by Councilman Loughlin, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Arena
Haas
Foerst
Della Fera
Kimmins
LoGrippe
Loughlin
Mayor Skibitsky

Nays:

Absent: Neylan

An ordinance entitled, "GENERAL ORDINANCE NO. 2009 – AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 1988 ENTITLED "AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD CHAPTER 2, "ADMINISTRATION," ARTICLE II, TOWN OFFICERS AND EMPLOYEES, DIVISION 3, PERSONNEL POSITIONS AND SALARY SCHEDULE," SEC. 2-12.28, "SCHEDULE." introduced by Councilman Della Fera, seconded by Councilman LoGrippe, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas:	Arena	Nays:	Absent: Neylan
	Haas		
	Foerst		
	Della Fera		
	Kimmins		
	LoGrippe		
	Loughlin		
	Mayor Skibitsky		

An ordinance entitled, "GENERAL ORDINANCE NO. 2010 – AN ORDINANCE TO AMEND GENERAL ORDINANCE 1981 FIXING THE ANNUAL SALARIES FOR THE MAYOR AND COUNCIL MEMBERS AND CERTAIN OFFICERS AND EMPLOYEES OF THE TOWN OF WESTFIELD." introduced by Councilman Della Fera, seconded by Councilman LoGrippe, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas:	Arena	Nays:	Absent: Neylan
	Haas		
	Foerst		
	Della Fera		
	Kimmins		
	LoGrippe		
	Loughlin		
	Mayor Skibitsky		

An ordinance entitled, "GENERAL ORDINANCE NO. 2011 – AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 1961 ENTITLED "AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE POLICE AND FIRE DEPARTMENTS IN THE TOWN OF WESTFIELD AND VARIOUS AMENDMENTS THERETO." introduced by Councilman Della Fera, seconded by Councilman Arena, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas:	Arena	Nays:	Absent: Neylan
	Haas		
	Foerst		
	Della Fera		

Kimmins
LoGrippe
Loughlin
Mayor Skibitsky

BIDS

MINUTES

On a motion by Councilman Loughlin, seconded by Councilman LoGrippe, Council approved the Minutes of the Town Council Meeting held May 21, 2013 with Council Members Arena, Haas abstaining.

On a motion by Councilwoman Kimmins, seconded by Councilman LoGrippe, Council approved the Minutes of the Conference Session held May 21, 2013 with Council Members Arena, Haas abstaining.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

BILLS AND CLAIMS

Introduced by Councilman Della Fera, seconded by Councilman LoGrippe and adopted with Councilman Loughlin abstaining on Loughlin Law Firm.

RESOLVED that the bills and claims in the amount of \$356,857.84 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

The following resolutions, introduced by Councilman Della Fera, Chairman of the Finance Policy Committee, seconded by Councilman Haas were unanimously adopted.

(153) RESOLVED that the Chief Financial Officer be and hereby is authorized to draw warrants for unused parking permit fee as follows:

Zachary M. Williams

Lot 8

#13080163 \$371.00

1275 Rock Avenue Apt Cc6
N. Plainfield, NJ 07060

Mary Kelly 1020 Minisink Way Westfield, NJ 07090	South Side RR Stn/Lot 3	#13030235	\$371.00
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Theresa E. Folino 215 Collfield Avenue Staten Island, NY 10314	Lot 8	#13080153	\$371.00
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(154) RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individuals:

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Jennifer Useloff 649 Summit Ave. Westfield, NJ 07090	T05-600-073	Basketball Camp Ethan (July 8)	\$100.00
Nancy Weiss 412 Wells St. Westfield, NJ 07090	T05-600-073	Basketball Camps Zachary (2 Camps)	\$206.00
Monica Azeem 633 West Broad St. Westfield, NJ 07090	T05-600-071	Tamaques Park Picnic Permit	\$50.00
Laurence Krulik 2296 Morse Ave. Scotch Plains, NJ 07076	Pool Membership Acct #195	Childcare portion only (non-resident membership)	\$345.00
Alessandro Pocai 141 Cottage Place Westfield, NJ 07090	Pool Membership Acct #195	Family Membership	\$360.00
Kangping Xiao 1005 Columbus Ave. Westfield, NJ 07090	Pool Membership Acct #195	Family Membership	\$360.00
Eva Natiello 164 Lincoln Rd. Westfield, NJ 07090	Pool Membership Acct #195	Family Membership	\$360.00
Beth Seitz 1615 Boynton Ave. Westfield, NJ 07090	Pool Membership Acct #195	Senior Citizen (Eleanor Tagnosky)	\$90.00

(155) RESOLVED that warrants noted below be drawn to the order of Westfield Board of Education for Local School Taxes as provided in the 2013 budget in accordance with R.S. 54:4-75:

July 15, 2013		\$ 4,000,000.00
July 31, 2013	Debt Service	\$ 1,058,589.00
August 15, 2013		\$ 4,000,000.00
September 15, 2013		\$ 7,795,835.00
September 15, 2013	Debt Service	\$ 779,746.00
October 15, 2013		\$ 7,795,835.00
November 15, 2013		\$ 7,795,835.00
December 15, 2013		\$ 7,795,835.00
January 15, 2014		\$ 7,862,889.00
February 15, 2014		\$ 7,862,889.00
March 1, 2014	Debt Service	\$ 713,590.00
March 15, 2014		\$ 7,862,889.00
April 15, 2014		\$ 7,862,889.00
May 15, 2014		\$ 7,862,889.00
June 15, 2014		\$ 7,862,892.00
TOTAL		<u>\$ 88,912,602.00</u>

(156) WHEREAS, N.J.S.A. 40A:4-87 (Chapter 159, P.L., 1948) provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget or any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2013** in the sum of **\$51,614.02** which is now available from the State of New Jersey, **Clean Communities Fund**, and

BE IT FURTHER RESOLVED that the like sum be, and the same is hereby appropriated under the following caption:

General Appropriations

Clean Communities Program \$51,614.02

BE IT FURTHER RESOLVED that one copy of this resolution be forwarded to the Division of Local Government Services by the Town Clerk.

(157) RESOLVED that the Chief Financial Officer be and she hereby is authorized to draw warrants to the order of the following persons, this amount being overpaid in 2012 and 2013:

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>YEAR</u>	<u>AMOUNT</u>
707/17 EISENBERG, Mark & Lynda	840 Embree Crescent	2013	\$4392.89
1104/8 SAUERWEIN, Richard & Rosa	554 Lawrence Avenue	2013	\$7271.26
2504/4.01 AJC Services, LLC	253 Prospect Street	2013	\$3352.55
3408/24 RODRIGUEZ, Justin A. & MILAN, Melanie	637 Chestnut Street S	2013	\$3247.00
4401/38 MITCHELL, Mark R & Barbara J	8 Kirkview Circle	2012	\$5099.35
5005/1 ZHU, Jisheng & HE, Huixin	5 Starlite Court	2013	\$3754.10

(158) RESOLVED that the Treasurer be and she hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the years 2009, 2010 and 2012, pursuant to the Tax Court of New Jersey:

BLOCK/LOT

NAME	ADDRESS	YEAR	AMOUNT
3109/4	114 Euclid Avenue South	2009	\$1292.92
114 South Euclid, LLC		2010	\$1098.08

Please issue above checks to:

Payable to:

Blau & Blau Attorney for Gersch, S & C c/o S & S Realty Co

Mail to:

Blau & Blau

Attorneys At Law

223 Mountain Avenue

P.O. Box 50

Springfield, NJ 07081

1110/10	531 Bradford Avenue	2012	\$2358.60
HUNZIKER, Theresa B.			

Please issue check to:

Payable to:

Bruce J. Stavitsky, Esq. for the benefit of William & Theresa Hunziker

Mail to:

Stavitsky & Associates, LLC

350 Passaic Avenue

Fairfield, NJ 07004

(159) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$45.00 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of May 2013.

(160) WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2011 has been filed by a Registered Municipal Accountant with the Municipal Clerk, pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the

governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Westfield, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

(161) A RESOLUTION TO AUTHORIZE THE NEGOTIATION AND EXECUTION OF AN AGREEMENT TO PROVIDE FOR CERTAIN PAYMENTS TO EASTGATE SQUARE CONDOMINIUM ASSOCIATION REPRESENTING THE ESTIMATED COSTS OF CERTAIN MUNICIPAL SERVICES THAT THE TOWN DOES NOT NOW PROVIDE TO THE RESIDENTS OF EASTGATE.

WHEREAS, applicable New Jersey Law, more particularly N.J.S.A. 40:67-23.2, et seq. requires municipalities to enter into agreements with qualified private communities located within those municipalities to provide for payments to such qualified private communities to compensate for certain services that the municipalities do not provide to the residents of such qualified private communities; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield that the Mayor is hereby authorized to sign the agreement between the Town of Westfield and Eastgate Square Condominium Association for the period of January 1, 2011 through December 31, 2015.

(162) WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective capital improvement fund or credited to capital surplus; and

NOW THEREFORE, BE IT RESOLVED, by the council of the Town of Westfield, that the following unexpended and dedicated balances of the general capital appropriations be cancelled:

<u>Ordinance #</u>	<u>Date Authorized</u>	<u>Amount Cancelled</u>	
		<u>Capital Improvement Fund</u>	<u>Capital Surplus</u>
1768	10/27/87		\$46,317.37
1894	8/9/94	\$ 6,079.68	
1924	11/8/95	\$ 8,130.51	
1955	5/6/97		\$ 7,108.48
1981	9/15/98		\$ 1,590.58
1989	5/11/99		\$ 8,085.55
1990	5/11/99		\$ 2,395.64
2021	5/8/01		\$27,366.92
2022	5/8/01		\$52,323.89
2025	5/8/01		\$47,869.65
2050	5/21/02	\$ 4,186.00	
2056	5/21/02		\$ 1,200.00
2058	5/21/02		\$70,116.83
2076	5/20/03	\$ 2,400.00	
2078	5/20/03	\$26,690.37	
2080	5/20/03		\$36,966.26
2097	5/4/04		\$ 4,900.00
2099	5/4/04		\$ 4,896.99
2102	6/1/04		\$ 1,112.93
2103	6/1/04		\$ 3,135.62
2117	4/19/05		\$ 1,876.78
2134	6/6/06		\$ 5,300.00
2136	6/6/06		\$10,050.50
2149	6/5/07		\$ 2,268.41
	TOTAL	\$47,486.56	\$334,882.40

(163) WHEREAS, the County Board of Taxation is unable to certify the tax rate throughout the county in a timely fashion and the Municipal Tax Collector will be unable to mail the tax bills on a timely basis; and

WHEREAS, the Municipal Tax Collector, in consultation with the Municipal Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield in the County of Union and the State of New Jersey on this 4th day of June, 2013, as follows:

1. The Municipal Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Town of Westfield for the third installment of 2013 taxes. The Tax Collector shall proceed and take such actions as permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2013 is hereby set at \$152,061,671.98
3. In accordance with the law, the third installation of 2013 taxes shall not be subject to interest until the later of the end of the grace period, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

CERTIFICATION

	<u>2013</u>
Municipal	\$25,575,170.43
School	\$88,912,612.00
Library	\$ 2,391,811.00
County	\$34,114,055.85
Open Space	<u>\$ 1,068,022.70</u>
	\$152,061,671.98

Divided by the assessed value of \$1,858,310,540

= Tax rate of 8.183

CERTIFICATION

Calculation of the 2013 Estimated Tax Rate

Proposed	2013 Adopted Municipal Budget
	2013 Adopted School Budget
	2013 Adopted Library Budget
	2013 Proposed County Levy

2012 Tax Levy & Tax Rate			2013 Estimated Range for Levy	
	<u>2012 Levy</u>	<u>Tax rate</u>	<u>95%</u>	<u>105%</u>
Municipal	\$24,938,064.90	1.329	\$23,691,161.66	\$26,184,968.15
School	\$87,194,608.00	4.646	\$82,834,877.60	\$91,554,338.40
Library	\$ 2,430,680.00	0.130	\$ 2,309,146.00	\$ 2,552,214.00
County	\$31,917,442.10	1.700	\$30,321,570.00	\$33,513,314.21
Open Space	\$ <u>1,087,204.55</u>	<u>0.057</u>	<u>\$ 1,032,844.32</u>	<u>\$ 1,141,564.78</u>
Totals	\$143,156,571.48	7.862	\$140,189,599.60	\$154,946,399.50

Amount to be Raised by Taxation

	<u>2013</u>	<u>Tax Rate</u>	
Municipal	\$25,575,170.43	1.376	(Adopted budget does not exceed 105%)
School	\$88,912,602.00	4.785	(Adopted budget does not exceed 105%)
Library	\$ 2,391,811.00	0.129	(Adopted budget does not exceed 105%)
County	\$34,114,055.85	1.836	(Adopted budget does exceed 105%)
Open Space	\$ <u>1,068,022.70</u>	<u>0.057</u>	(Adopted budget does not exceed 105%)
Total	\$152,061,671.98	8.183	

Divided by the 2013 Ratable Total of \$1,858,310,540

= Tax Rate of 8.183

Regarding the following ordinance, Councilman Della Fera, Chairman of the Finance Policy Committee, made the following announcement:

I hereby move that an ordinance entitled, "SPECIAL ORDINANCE NO. 2181 – BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW INFORMATON TECHNOLOGY EQUIPMENT IN, BY AND FOR THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,926,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE CAPITAL SURPLUS, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS."

Heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 18TH day of June at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time

and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Seconded by Councilman Arena.

The ordinance was approved by the following vote of all present upon roll call as follows:

Yeas:	Arena	Nays:	Absent:	Neylan
	Haas			
	Foerst			
	Della Fera			
	Kimmins			
	LoGrippo			
	Loughlin			
	Mayor Skibitsky			

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolutions, introduced by Councilman Foerst, Chairman of the Code Review & Town Property Committee, seconded by Councilwoman Kimmins were unanimously adopted.

(164) RESOLVED that the following application for Peddlers License be and the same are hereby approved:

Frederick Budden	1607 St Ann St
t/a Freddy's Dog House	Scotch Plains, NJ 07076

BE IT FURTHER RESOLVED that the license shall not be issued by the Town Clerk unless the departmental inspections of the premises have been completed and the premises approved for the licensed use.

(165) RESOLVED that the following applications for children's amusement devices be approved:

Amazing Amusements & Entertainment, Inc. 5 Kennedy Dr. Marlboro, NJ	Carnival 500 First Street June 11, 2013 Rain date June 12	McKinley Elementary PTO 500 First St Westfield, NJ
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BE IT FURTHER RESOLVED that the license shall not be issued by the Town Clerk unless the departmental inspections of the premises have been completed and the premises approved for the licensed use.

(166) WHEREAS, pursuant to Chapter 24 Article VII Section 24-47 of the Town Code the Town Council has authorized the licensing of Sidewalk Cafés, and

WHEREAS, the establishments listed has made application as required by Sec. 24-48 of the Town Code, and

WHEREAS, the establishments listed has met all the terms and conditions as required,

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Westfield hereby grants license to the establishments listed to operate sidewalk cafés and the Town Clerk be, and is hereby authorized to issue said licenses.

Uncle Louie G's Ices

57 Elm Street

Tutti Baci

401 South Avenue West

(167) WHEREAS, an application has been filed for a place-to-place transfer of Plenary Retail Consumption License 2020-33-009-008 issued to The Office of Westfield LLC., 411 North Avenue West, Westfield, New Jersey for purposes of changing the premises under wherein the service of alcoholic beverages is authorized; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Westfield does hereby approve, effective June 4, 2013, the place-to-place transfer of the aforesaid Plenary Retail Consumption Licensed premises located at 411 North Avenue West, Westfield, New Jersey to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

(168) RESOLVED that the applications for the following liquor license renewals be, and the same are hereby, granted effective July 1, 2013 subject to full compliance with Alcoholic Beverage Law R.S. 33:1.1 et seq:

PLENARY RETAIL DISTRIBUTION LICENSES

Trader Joe's East, Inc.
t/a Trader Joe's #601

155 Elm Street

Thakorji Corporation

t/a Peterson's Wines Unlimited	1120 South Avenue West
Westfield Wines, LLC t/a Cool Vines Westfield	127 Central Avenue
Shreeji Holdings, LLC t/a Liquor Basket of Westfield	115 Quimby Street
Happy Land Corporation t/a Westfield Wine & Liquor	270 North Avenue East

PLENARY RETAIL CONSUMPTION LICENSES

Prospect Associates, LLC t/a 16 Prospect	16 Prospect Street
Echo Lake Country Club	515 Springfield Avenue
The Office At Westfield, LLC t/a The Office & The Office Beer Bar & Grill	411 North Avenue
J. Rust Enterprises, Inc. t/a Jeffrey's of Westfield	114 Central Avenue

RESTAURANT CONDITIONAL LICENSES

Ferraro's Restaurant Group, LLC t/a Ferraro's Restaurant	8-14 Elm Street
Ahi Tuna Corporation t/a Fujiyama Mama	341 South Avenue East
JGR Investment Group, LLC (Pocket Status)	4 Seneca Road Cranford, New Jersey
Lazio, LLC t/a Acquaviva Delle Fonti	115 Elm Street

HOTEL CONDITIONAL LICENSE

Chez Catherine, Inc. t/a Chez Catherine	431 North Avenue West
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CLUB LICENSES

Martin Wallberg Post 3, The American Legion	1003 North Avenue West
Italian American Club	505 Central Avenue

(169) WHEREAS, Michael Mahoney, LLC, made an application to the Town of Westfield to demolish a single-family dwelling, located at 912 Pennsylvania Avenue, Block 4503, Lot 22, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the applicant is in the process of meeting all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling 912 Pennsylvania Avenue, Block 4503, Lot 22, Westfield, New Jersey.

(170) WHEREAS, Charles Pijanowski, made an application to the Town of Westfield to demolish a single-family dwelling, located at 37 Cowperthwaite Place, Block 2505, Lot 2, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the applicant is in the process of meeting all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling 37 Cowperthwaite Place, Block 2505, Lot 2, Westfield, New Jersey.

(171) WHEREAS, Bryce Salvador, made an application to the Town of Westfield to demolish a detached garage, located at 422 Lenox Avenue, Block 3110, Lot 5, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application has met all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a detached garage at 422 Lenox Avenue, Block 3110, Lot 5, Westfield, New Jersey.

(172) BE IT FUTHER RESOLVED by the Town Council of the Town of Westfield that the Mayor is authorized to sign an agreement between the Town of Westfield and Sevell Family Enterprises I, LLC, Sevell South Ave #10, LLC and Sevell Inc.

Public Works Committee

Reports of Department Heads

Report of Liy-Huei L. Tsai, Chief Financial Officer, showing Cash in Bank of \$13,735,624.52 and Investments of \$373,877.89 was received, read and ordered filed.

Reports of Susan Noon, Collector of Taxes, showing total collections of \$27,586,667.25 and Sewer Fee of \$40,583.01 during the period May 1, 2013 to May 31, 2013 were received, read and ordered filed.

Upon motion by Councilwoman Kimmins, seconded by Councilman Haas the meeting was adjourned at 8:30 p.m.

Claire J. Gray
Town Clerk